

0282

BOX:

361

FOLDER:

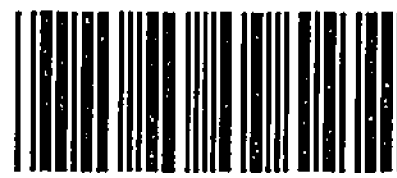
3394

DESCRIPTION:

Valenson, John

DATE:

07/19/89



3394

Witnesses:

Wm. H. C. Stille
13th Street

Counsel,

Filed

Pleads,

Wm. H. C. Stille
19 day of July 1889

THE PEOPLE

vs.

Wm. Thompson
174 1st St.
John Valensson

Burglary in the THIRD DEGREE
(Section 498, Code of Laws)

JOHN R. FELLOWS,

District Attorney.

Aug 5/89
pleads P.L.

A True Bill.

Wm. H. C. Stille

Foreman.

Aug 5/89
City from 10 Days.

0283

0284

Police Court—2 District.City and County }
of New York, } ss.:

Vincenzo Finia

of No. 164 Thompson Street, aged 36 years,occupation Saloon Keeper being duly sworndeposes and says, that the premises No. 174 Thompson Street,in the City and County aforesaid, the said being a four three storybrick buildingand which was occupied by deponent as a dwelling on the upper floor,and in which there was at the time a human being, by name butunoccupied in the basementwere BURGLARIOUSLY entered by means of forcibly opening arear window of said basementon the 10 day of July 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:a quantity
of lead pipe of the value of
about ten dollars (\$10)the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

John Valenon (nowhere)

for the reasons following, to wit:

Deponent securely locked
said place on Tuesday evening
July 7 at 7 o'clock P.M. and
the said lead pipe was then in
said basement, attached to the
said building. Deponent is informed
by Nicquon James A. Corbett now
here that he arrested the defendant
on the morning of July 11 about

0285

9.45 o'clock and the defendant
had the said stolen property in
his possession and the said
basement was found open by
defendant and the said property
missing on said morning. Defendant
therefore charges defendant with the
said burglary.

Known to before me this } Vincenzo his
11th day of July 1889 } to find
Solon D. Seavick } mark
Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0286

CITY AND COUNTY }
OF NEW YORK, } ss.

aged ³¹~~22~~ years, occupation James A. Costello
Policeman of No.

15th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Vincenzo Zina

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11

day of July

1888

James A. Costello

Colon B. S. S. S. S.

Police Justice.

0287

Sec. 108-200.

CITY AND COUNTY
OF NEW YORK, ss.

2 District Police Court.

John Valenon

signed according to law, on the annexed charge; and being informed that it is h right to make a statement in relation to the charge against h; that the statement is designed to enable h if he see fit to answer the charge and explain the facts alleged against h that he is at liberty to waive making a statement, and that h waiver cannot be used against h on the trial.

Question. What is your name?

Answer.

John Valenon

Question. How old are you?

Answer.

29

Question. Where were you born?

Answer.

Italy

Question. Where do you live, and how long have you resided there?

Answer.

174 Thompson -

Question. What is your business or profession?

Answer.

Laborn

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty
John Valenon
Mark

Subscribed before me this 11th day of June 1938
Police Justice

0288

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

John Wallerison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated

July 11

1889

Solomon Blum

Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated

188

Police Justice.

There being no sufficient cause to believe the within named.....

guilty of the offence within mentioned. I order h to be discharged.

Dated

188

Police Justice.

0289

Police Court--- 2 1027 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Vincenzo Fina
168 Thompson
John Valenon

Offence *Burglary*

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

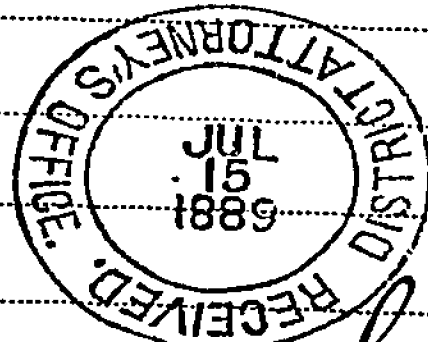
No. 4, by _____
Residence _____ Street.

Dated *July 11* 188*9*
Smith Magistrate.
Das A. Costello Officer.
15 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.
\$ *500* to answer *G. A.*



CM *Burglary*
pp *precinct*

0290

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Valensson

The Grand Jury of the City and County of New York, by this indictment,
accuse

John Valensson

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Valensson

late of the ~~52nd~~ Ward of the City of New York, in the County of New York
aforesaid, on the *tenth* day of *July* in the year of our Lord one
thousand eight hundred and eighty-*nine*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the *building*
dwelling house of one *Vincenzo Anna*

there situate, feloniously and burglariously did break into and enter, with intent to
commit some crime therein, to wit: with intent, the goods, chattels and personal property
of the said *Vincenzo Anna*, in the said
building in the said dwelling house then and there being, then and
there feloniously and burglariously to steal, take and carry away, against the form of
the Statute in such case made and provided, and against the peace of the People of the
State of New York, and their dignity.

0291

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF

PETIT LARCENY

, committed as follows:

The said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the ^{night} time of said day, with force and arms,

one hundred pounds of
lead pipe of the value of
ten cents each pound

of the goods, chattels, and personal property of one

building in the dwelling house of the said

there situate, then and there being found, ⁱⁿ ~~from the dwelling house~~ ^{building} aforesaid, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0292

THIRD COUNT.

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

John Valensson
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

John Valensson
late of the Ward, City and County aforesaid, (afterwards to wit: on the day and in
the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*one hundred pounds of
lead pipe of the value
of ten cents each pound*

of the goods, chattels and personal property of

Vincenzo Fina
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen from the said

Vincenzo Fina
unlawfully and unjustly, did feloniously receive and have ; (the said

John Valensson

then and there well knowing the said goods, chattels and personal property to have been
feloniously stolen), against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0293

BOX:

361

FOLDER:

3394

DESCRIPTION:

Brown, George

DATE:

07/03/89



3394

0294

BOX:

361

FOLDER:

3394

DESCRIPTION:

Valentine, Sarah

DATE:

07/03/89



3394

Witnesses:

E. Clonahan
Off. Alex Link
9th Precinct

On examination of all the
facts herein, and of opin-
ion that the deft Brown
cannot be involved in the crime
of deft, and accordingly
recommended to discharge
an honor recognizing,
July 9/09. J. D. Parker
Deputy

Counsel,
Filed day of July 1889
Pleads, J. D. Parker

THE PEOPLE
vs.
Sarah Valentine
and
George J. Brown
H.D.

Grand Larceny, First Degree.
(From the Person.)
[Sections 528, 530 - Penal Code]

JOHN R. FELLOWS,
District Attorney.

July 9/09.
Sp. P. D. Parker
Deputy on line
and recognized
A True Bill.

July 9/09.
Foreman.

Not.
Pleaded
Pen bond.

0295

0296

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.:of No. 192 Bleecker Edmund J. Columbian
Street, aged 36 years,
occupation Frederic Smith being duly sworndeposes and says, that on the 28 day of June 1887 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession And
Person of deponent, in the night time, the following property, viz:

A Leather pocket-book containing gold
and lawful money of the United States
to the amount and of the value of four
+ \$3/100 dollars.

(\$ 4.85)

the property of Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Sarah Valentine and
James J. Brown and an unknown man not yet arrested

the fact that at the hour of 5:30 o'clock
on said date deponent was on Bleecker
St. near the corner of Minetta St. and
at that time deponent had said pocket-
book containing said sum of money in
the hip pocket of his pantaloons.
When the defendant Valentine came
up to deponent and attempting the front
of deponent's pantaloons commenced
playing with deponent's fingers, and
while she had one hand in the front of
deponent's pantaloons, with her other hand
she suddenly extracted said pocket-book

1887
of
Sarah Valentine
and
James J. Brown
and
an unknown man
not yet arrested

Police Justice.

0297

from deponent's hip pocket, deponent caught hold of her. When she opened the pocketbook and took the money therefrom. Deponent then regained possession of the pocketbook, and was holding on the defendant Valentine. When the defendants Brown and said unknown man not yet arrested, came up to deponent and pushing, jostling, and striking deponent, caused deponent to let go of the defendant Valentine when she ran into an alley way, and the defendant Brown, and said unknown man, also ran away. Deponent notified Officer Alexander Kite of the 9th Precinct Police and described the defendants. When said officer arrested the defendants and deponent fully and positively identified them. Wherefore deponent charges the said defendants and said unknown man not get arrested with being together and acting in concert with each other, and feloniously taking, stealing, and carrying away said property from the person of deponent.

I sworn to before me
this 20th day of June 1889

L. J. O'Sullivan

J. H. Murphy

Police Justice

0298

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Sarah Valentini being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *her* right to
make a statement in relation to the charge against *her*; that the statement is designed to
enable *her* if *she* see fit to answer the charge and explain the facts alleged against *her*
that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used
against *her* on the trial.

Question. What is your name?

Answer.

Sarah Valentini

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Washington DC

Question. Where do you live, and how long have you resided there?

Answer.

16 1/2 Downing Street

5 Mos.

Question. What is your business or profession?

Answer.

House work

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer.

I am not guilty

Sarah Valentini
mark

Taken before me this

day of

188

Police Justice.

0299

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2 District Police Court.

George J. Brown being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

George Brown

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Phila Pa

Question. Where do you live, and how long have you resided there?

Answer.

Phila Pa

Question. What is your business or profession?

Answer.

Hostler

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty

George J. Brown

Taken before me this

day of

188

Police Justice.

0300

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Sarah Valentine

George J. Brown
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated June 28 1889 George J. Brown Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated _____ 188 _____ Police Justice.

0301

Police Court--- 2963 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edmund Columbee
vs.
Sam Valentine
George Brown

offence
stealing from the person

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street

3. _____

4. _____

Dated June 28 1889

Trd Magistrate.

Kirk Officer.

9 Precinct.

Witnesses Complainant

No. Mr. to Home Detention

in default of \$100 bail

No. to testify JUL 1 1889 Street.

No. _____ Street.

No. _____ Street.

\$1,000 to answer

0302

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

of No. 9th Alex. Risco
occupation Police Officer Street, aged _____ years,
that on the _____ day of _____ 188____
at the City of New York, in the County of New York,

Sworn to before me, this _____ day of _____ 188____

Police Justice.

Edmund J. Columbian
(nowhere) is a necessary and
important witness against Sarah
Valentine and George Brown. Charged
with Larceny from the Person.
Deponent further says that he has
reason to believe that the said Columbian
will not be forthcoming when wanted,
Wherefore deponent prays he the said
Columbian may be ordered to find surety for his
appearance, and in default be committed to
the House of Detention. Alexander Risco

0303

High
Slovak Republic
to the
XII Party - Finance Review
#1000 July 9 - 1989

Mr. Edmund J. J. J. J.
of office man in the
#1000 328 West 15 Street
of present house
at the 23rd Condemnation July
1989.

0304

Judge N. A. Giddens

0305

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
Sarah Valentine
and George J. Brown

The Grand Jury of the City and County of New York, by this indictment, accuse
Sarah Valentine and George J. Brown
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *Sarah Valentine and*
George J. Brown, both
late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth*
day of *June* — in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *night* — time of the said day, at the City and County
aforesaid, with force and arms,

the sum of four dol-
lars and eighty-five cents in money,
lawful money of the United
States and of the value of four
dollars and eighty-five cents and
one pocket-book of the value of fifty cents

of the goods, chattels and personal property of one *Edmund J. Colombeer*
on the person of the said *Edmund J. Colombeer*
then and there being found, from the person of the said *Edmund J. Colombeer*
then and there feloniously did steal, take and carry away, against the form of the statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

John R. Fellows,
District Attorney.

0306

BOX:

361

FOLDER:

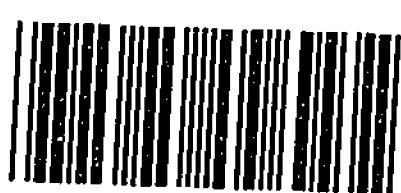
3394

DESCRIPTION:

Verzaro, Joseph

DATE:

07/12/89



3394

0307

BOX:

361

FOLDER:

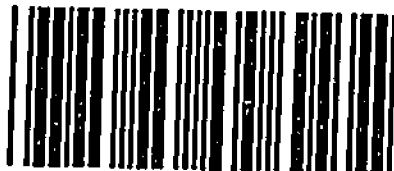
3394

DESCRIPTION:

Verzaro, Philip

DATE:

07/12/89



3394

POOR QUALITY
ORIGINAL

0300

I appear the examination
of the persons that killed Vergara
has been to plead by Manslaughter
not degree & that indictment
be dismissed as to Philip
Vergara
J. H. H. H. H.
Dist. Ct.

Witnesses:

J. H. H. H. H.
W. H. H. H. H.
J. H. H. H. H.
J. H. H. H. H.

I have made a careful examination
of the witnesses for the prosecution in
the within case. I am satisfied that
the defendant Joseph Vergara could
be convicted of no higher crime
than manslaughter in 1st
degree. As to Philip Vergara I think
he could be convicted of
everything the deceased was while
the influence of liquor and with
the two defendants stole from the
defendant's bank stand the depts.
summed them and in repleading
their bank a full sentence during
which Joseph Vergara used the knife
I respectfully recommended that the
indictment be dismissed as
against Philip Vergara and that a
plea of manslaughter in 1st degree
be accepted from the defendant
Joseph Vergara.
Part 3 Nov. 2, 1889 Wm. J. Jerome
Dist. Ct.

No. 97

Counsel,
Filed 12 day of July 1889
Pleads, Chetquity

THE PEOPLE
33 vs. 2 have
75 at 7 1/2
Joseph Vergara
and
Philip Vergara
[Case]

JOHN R. FELLOWS,
District Attorney.

Part III November 2, 1889
No 2. Indictment dismissed

A True Bill.

(J. H. H. H. H.)

Part III November 2, 1889
No 1. Plead, Manslaughter 1st deg.
S.P. 10 yrs

Ready to file 9-11-89.

0309

COURT OF GENERAL SESSIONS.

.....X
THE PEOPLE, &c., :
vs. : H O M I C I D E .
PHILLIP VERZARO, JOSEPH VERZARO.:
.....X

S i r :-

Please take notice that I will move in Part III, of
the Court of General Sessions on ~~Monday~~ ^{Tuesday}, November 12th,
for the discharge of the above-named defendants, under Sec.
668, or for such other and further relief as the Court may
deem just.

Purdy & McLaughlin,
Attorneys for Defendants,
280 Broadway,

Dated, New York, Nov. 9th, 1889.

To

John R. Fellows,
District Attorney,
New York City.

03 10

STATE OF NEW YORK,
STATE AND COUNTY OF NEW YORK, } ss.:

.....being duly
sworn, says that he resides at No. Street, in the City of
New York; that he is years of age; that on the day of
18....., at Number in the City of
New York, he served the within on
the by leaving a copy thereof with.....
.....
.....

Sworn to before me this
day of

18 }

IN COURT OF GEN. SESSIONS.

THE PEOPLE &c.,

Plaintiff,

against

PHILLIP VERZARO, JOSEPH VER-

ZARO, *Defendant.*

NOTICE AND MOTION.

PURDY & McLAUGHLIN,

Attorneys for Defendant.

No. 280 BROADWAY, New York City.

Due and timely service of cop of the within

hereby admitted

this day of

18

Attorney.

To

0311

Police Court— 4 District.

City and County } ss.:
of New York, }

of Joseph Kennedy Street, aged 23 years,
occupation U. S. Marine being duly sworn

deposes and says, that on 30th day of June 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Philip
Verraro (now here) who willfully
and with a loaded deponent in
the right arm side and shoulder
with some sharp instruments then
and there held in the hands
of the said Verraro. Causing
three painful wounds.

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 11th day } Joseph Kennedy
of July 1889 }
Wm. Brown Police Justice.

03 12

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Vergara being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h* right to make a statement in relation to the charge against *h*; that the statement is designed to enable *h* if he see fit to answer the charge and explain the facts alleged against *h* that he is at liberty to waive making a statement, and that *h* waiver cannot be used against *h* on the trial.

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

Taken before me this

Day of *June* 188*8*

Police Justice.

0313

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~
Hundred Dollars, ~~and be committed to the Warden and Keeper of~~
the City Prison of the City of New York, until he give such bail. legally discharged

Dated July 17 188 188 Samuel M. Smith Police Justice.

I have admitted the above-named
to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

03 14

Witnesses Joseph and
Patrick Kennedy
bailed in \$1,000 each
by Michael L. Begley
302 East 80th St

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

183
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Kennedy
vs.
Philip Jergan

2

3

4

Dated July 1st 188

Murray Magistrate

J. H. Smith Officer.

25 Precinct.

Witnesses

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

0315

The People vs
against
Joseph Venzano
and
Philip Venzano.

Brief.

Murder 1st Degree.
Penal Code §. 183.

Indictment.

1st Count.

Murder 1st degree. Common
law count, "wilfully, feloniously
and of their malice aforethought."

2nd Count.

Murder 1st degree. Statutory
count, "wilfully, feloniously,
and with a deliberate and
premeditated design."

Weapon alleged - Knife -

Time - June 30th, 1889.

Deceased - Thomas Barrett.

Facts.

The deceased and Joseph & Patrick Kennedy
were coming down 2^d Ave. late at night.
They were somewhat under the
influence of liquor and had been playing
pool at a saloon from 10 P.M. until
shortly after 12 midnight. They took
some fruit from a stand on the S.E.
corner of 78th Street and 2^d Ave. while

0316

the Italian proprietor was asleep. Officer Smith saw them and made them put it back. When they reached the S. E. corner of 2^d Ave. and 77th Street they approached the fruit stand of the defendants. As to just what took place here the testimony of the Kennedy, seems somewhat at variance with that of Officer Smith. At any rate a fight resulted in which the defendant Joseph stabbed the deceased Thomas Barnett and the witness Joseph Kennedy. Barnett ~~died~~ died in a few minutes from the wounds. Upon Joseph was found a small pen-knife which on close examination appeared to have been airped off, but still disclosed blood stains.

Witnesses.

Joseph Kennedy. Marine U.S.A.
As to all the facts.

Patrick Kennedy. Labour. Brother of
the preceding.
As to all the facts.

Officer Jno. H. Smith. 25th Precinct

0317

Saw a good deal of the affair.
Arrested defendant. Heard
conversation with Captain
in Station House.

Officer James M^c Knight. 25th Precinct.

Have not examined

M^c Knight but Officer James Smith
so states.

Searched defendant
Joseph and found the
knife.

Captain Gunner. 25th Precinct.

Have not examined Captain Gunner

but Officer Smith was present at
conversation.

Conversation with defen-
dant Joseph who said
that they had fought but
no stabbing was done by
them.

Annie Barnett.

So appears from

information given me.

wife of deceased. Will
definitely connect the
person killed with body
upon which autopsy
was performed.

Dr. P. E. Doolin.

Crowe's physician.
Made the autopsy.

0318

Memorandum.

Officer Smith states that character of deceased was bad.

All three men, deceased and 2 Kennedy's, were under influence of liquor.

0319

People
Verzaro and us. }

Joseph Kennedy, Brooklyn Navy Yard.
Myself & my brother & deceased ~~was~~ had been
playing pool ^{since 10 in the} ~~all the afternoon~~ evening
until about 12 midnight at a liquor
store between 81st & 82nd St in 2^d Ave. We
came down 2^d Ave. with other friends and
delayed talking as we came down. The
friends parted from us before we reached
77th Street. I had only had a few drinks,
about 3 glasses of beer. Deceased was
slightly under the influence of liquor
but could take care of himself perfectly.
When we reached 77th St & 2^d Ave, the
defendant had a fruit stand on the
South East corner. We approached it
and deceased asked the price of some
fruit. My brother and myself stood
near him. Joseph Verzaro was tending
the stand. At the end of the stand was
a little alcove out of which Philip
Verzaro ultimately came. Deceased
finally picked up an orange and walked
away to the curb of the Ave. a little
off the corner. Joseph at once started
after him. We called to Joseph to come
back and we would pay him. He
took no notice of us calling but

Met
deceased
at 10 o'clock P.M.

0320

approached deceased from behind and struck him in the back, apparently a powerful blow. It was so dark that I could not see whether Joseph had anything or not in his hand.

Joseph appeared to strike deceased somewhere in the vicinity of the small of the back, perhaps a little farther up. Philip passed me just before Joseph struck deceased. I suppose he came from the alley. As deceased was struck by Joseph he turned around and Philip closed with him at once. I saw Philip strike deceased 2 or 3 strokes in the left breast. I did not see any knife. When I grabbed Philip and he turned on me and he struck me several times in right arm, right shoulder and right side. I found at once I was stabbed. I turned around and seeing a policeman I ran away to avoid arrest. I am a marine in the U.S.N. and was then. I then went home to my aunt's house at 315 East 78th St. The next morning we heard that Baner was dead and we

Is Philip
left handed?

0321

went to the station house and told
all me knew of the case. I saw the
dependants at the station house
and identified them as the men.
I am sure of the identity of the men.
9-18-89. WJ.

Patrick Kennedy 315 East 78th St.
Laborer.

Corroborates his brother's ~~free~~ foregoing
statement and his statement before the
coroner. He is a very stupid and timid
witness. Will become confused and
dumb on a little bullying.

9-18-89.

John H. Smith, 25th Precinct.

Was on post. Saw deceased and the two
~~the~~ Kennedys take some fruit from
an Italian's stand at S.E. cor of 78th St
& 2^d Ave. The Italian was asleep. I told
them to throw the fruit back and that
they would have gotten into trouble if
the Italian had been awake. They put
the fruit back and started down the
Ave on the East side. All three were
under the influence of liquor but
able to take care of themselves. I followed

0322

went up the Ave as far as 79th St on the East side trying the doors and crossed over at 79th St and came down on the West side trying the doors. I was on the N.W. cor of 72^d St. and 2^d Ave. and I saw deceased & the Kennedys stop at the fruit stand on the S.E. cor. they were getting some fruit. Joseph Vergosa was putting the fruit in a bag. Deceased got the bag and then each of the 3 took some fruit from the stand and all 3 started down the Ave. I could not see whether or not they paid anything. Joseph started right after them and he overtook them when they had gotten about mid-way between 77th & 76th streets. The 3 men had run down as far as this. They then at once began to fight with Joseph & Philip, who had come out of the little shack at the stand and joined Joseph. I could not tell who struck first. They were all together clinched and striking one another. I crossed over and as I did so the two Kennedys ran. Barret was then between the two Italians and I saw

0323

as I approached, Joseph make two
plunges toward the heart of Barrett.
When they saw me they broke and
I grabbed Barrett. The big Italian
Philip was holding Barrett while
Joseph struck him as above. I could
not see that Joseph had anything in
his hand. After I took hold of Barrett
he said he had not done anything
and everything then happened as
stated in my testimony before the coroner.
The Italians went right back to their
stand. When the ambulance arrived
Barrett was dead. I put the Italians
under arrest. They said nothing then.
They had a talk with the captain.
I heard the conversation. The captain
asked them how it came to start. They
said Joseph did the talking. He said
they bought some fruit and refused to
pay for it. That they were fighting
but he did not stab him. Found
an orange in Barrett's pocket when
body was taken to station house. Searched
Italians. Found small pen knife
in Joseph's pocket. Blade had apparently
been wiped. When examined under
magnifying glass saw blood stains
at base of blade. Found nothing on

(Cpt Gunner)

0324

Philip. The search of Joseph ~~McKnight~~^{James} McKnight was made by officer ^{James} McKnight who searched them both at once. I searched them afterwards at the Station House. McKnight came up in response of my calls for help. 9-18-89.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Joseph Vergara

and

Philip Vergara.

Murder 1st Degree
Peace Code §.

BRIEF OF FACTS.

For the District Attorney.

Dated September 18th, 1889.

Wm. Travers Jerome

Deputy Assistant.

0325

0326

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the ~~house of~~ *Coroner's Office*
No. 67 *Park Row* Street, in the *4th* Ward of the City of
New York, in the County of New York, this *6th* day of *July*
in the year of our Lord one thousand eight hundred and ~~eighty nine~~ *before*

Daniel Hanly Coroner,
of the City and County aforesaid, on view of the Body of *Thomas Barrett*
lying dead at

Eleven Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Thomas Barrett came to his death, do
upon their Oaths and Affirmations, say: That the said *Thomas Barrett*

came to his death by
Stab wounds of heart & intestines inflicted
with a knife or knives in the hands of *Giuseppe*
Verzaro and *Philip Verzaro* at *7th Street*
and *Second Avenue* *June 30th 1889*. about *1*
o'clock A.M.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,
set our hands and seals, on the day and place aforesaid.

JURORS.

<i>Thos Paul 1487 7th Ave</i>	<i>George Feaster 1489 2nd Ave</i>
<i>Michael Cohn 1468 7th Ave</i>	<i>Bernard Pfisteringer 1468 11th Ave</i>
<i>Alexander J. J. 1496 7th Ave</i>	<i>Wm. Kiddle 1341 3rd Ave</i>
<i>Charles W. Keep 1492 2nd Ave</i>	
<i>Thomas Hodgson 310 E 78th</i>	
<i>Marco Oberkammer 1483 2nd Ave</i>	
<i>Joseph Metz 1487 2nd Ave</i>	
<i>J. R. R. 112 E. 117th</i>	<i>Daniel Hanly</i>

CORONER, &c. &c.

0327

Coroner's Office.

TESTIMONY.

Officer John H. Smith - 25 Precinct
 Bruce Sum says: On June 30th
 about 1/4 to 1 in the morning.
 I got as far as 78 St + 2 Ave
 I saw 2 men in citizens
 clothes + some intimacies at
 an Italian stand on S.E.
 cor of 78th St + 2^d Ave I
 saw them take some fruit
 from the stand - they dropped
 the fruit + I went out to try
 my door + they went down as
 far as 77 St + 2 Ave - I went
 to 79 St + on crossing the
 avenue I tried the door as far
 as 77 St. I saw the 3 parties
 standing at an Italian stand
 on S.E. cor of 77 St + 2 Ave they
 were purchasing something
 I saw the smaller Italian
 Giuseppe giving them something
 in a bag - After they got
 the bag each one pulled some
 thing from the stand + they all
 started down the avenue
 towards 76th St. and when about
 50 feet from the stand all the
 parties got into a fight. the

Taken before me

this day of

188

CORONER.

0328

Coroner's Office.

TESTIMONY.

Italians ~~then~~ ^{they} followed from the
 stand. I started across the
 street & the maning & his brother
 ran down towards 76. Their
 The two Italians had Thomas
 Barrett the deceased between
 them. ~~I was about~~ they were
 clinched & Barrett was between
 them. I was about the curb
 stone. I saw Giuseppe make
 two plunges with his right
 hand & grunt at each plunge.
 When I got there the Italians had
 left & Barrett took hold of me by
 the 2 ~~lapels~~ lapels of my coat &
 made the remark, "Officer
 I done nothing". He let go of my
 coat & walked about 45 feet &
 fell. I rapped for assistance &
 turned. Deceased over ^{I judged} & found
 he had been stabbed in the back
 from the blood. We turned him over on his back
 & found he had also been stabbed
 under the heart, & in the groin.
 I summoned an ambulance &
 the doctor pronounced him dead.
 I arrested the Italians. I saw Giuseppe make
 the 2 plunges at Barrett.

Taken before me x John H. Smith
 this 6th day of July 1889

Daniel Healy CORONER.

0329

Coroner's Office.

TESTIMONY.

Joseph Kennedy being sworn says
 I am Marine U.S. Ship Atlanta
 Navy Yard Brooklyn -
 I witnessed the occurrence on
 Sunday June 30th
 Barrett my brother Patrick & I were
 coming down the line about
 1 P.M. Sunday - we came from
 the S.E. Cor. (Italian Stand) 97th St
 + 2nd Ave - Barrett said he would
 buy some fruit - he went over
 to the stand & picked some
 different kinds of fruit - he then
 took one orange - he walked
 away a few steps & stood
 on the sidewalk - the small Italian
 got up & ran after him - My brother
 + I called back the Italian
 to pay him for the fruit - The
 Italian went behind Barrett
 & struck him - then the second
 Italian came up on the other
 side & struck Barrett - I saw
^{the tall Italian} make a plunge on the
 left breast of Barrett - I went to
 Barrett's assistance & between
 Barrett & the tall Italian & after
 I took the Italian away from

Taken before me

this day of

188

CORONER.

0330

Coroner's Office.

TESTIMONY.

4

Barrett - he struck at me several times & stabbed me in the shoulder arm & side - I turned around when I found he was stabbing me - I saw the officer & ran away I did not know at the time that Barrett was stabbed. - I went down to 75 St & 2 and down 75 into 1st Avenue & up 1st Ave to 78 St & went to my aunt's in 78 St & stopped there till morning - I left my cap on the sidewalk & after we passed it in the Station House - In the morning an officer came to my Aunt's house 315 E 78 St & notified ^{my brother} Barrett's brother ~~brother~~ ^{brother} that Barrett was dead. - About 5 o'clock my brother & I went to the Station House & gave ourselves up to the sergeant - My wounds were dressed at the Hospital I fully identify both Italians now in Court -

Joseph Kennedy

Taken before me

this

6th day of July

1889

Daniel Hardy

CORONER.

0331

Coroner's Office.

TESTIMONY.

Patrick Kennedy being sworn says I live at 315 E 78th Street
 Manhattan. On June 30th about
 1 o'clock AM. we were going
 home with Thomas Barrett
 we came to 77th St + 2^d Ave
 South East Corner. Thomas
 Barrett said ~~well~~ he wanted
 to buy some fruit, he went
 over to an Italian stand
 picked some fruit. Barrett
 picked up an orange + walked
 a few steps. The small Italian
 started to run after him + I said
 come back + I'll pay you for the
 orange - He paid no heed to me
 but run + caught Barrett
 by the back ~~of the neck~~ saw him
 making strokes at Barrett's side
~~the~~ The larger Italian started
 after him + caught a hold of him
 my brother took hold of the
 large Italian. + I saw the large
 Italian making strokes at
 my brother. I saw the policeman
 coming across the street + I walked
 away. I went home to bed. An
 officer came up in the morning

Taken before me

this

day of

188

CORONER.

0332

Coroner's Office.

TESTIMONY.

6

to Mrs Sheehy & said Thomas Barrett
was dead. I went to the Station
House. I identified the 7 Italians
as the men who stabbed my brother
& Barrett. — I identify the Italians
in Court now.

Det. Kennedy

Taken before me

this

6 day of

July

1889

Daniel Hanly

CORONER.

0333

Coroner's Office.

TESTIMONY.

7th

Annie Jarrett being sworn says:
I live at 315 East 78th St. I deceased
Thomas Jarrett ~~is~~ my husband
I last saw him alive on Satur-
day night June 29th I saw the body
about 10 am. June 30 - I identify
the deceased Thomas Jarrett my
husband. Annie Jarrett

Taken before me

this

6th day of

July

1889

Daniel Hardy

CORONER.

0334

Coroner's Office.

TESTIMONY.

with the lower edge of the umbilicus. This wound extended into the abdominal cavity which was found to contain blood, gas and fecal matter with escaped from a wound of the large intestines in position to the abdominal wound - all organs were normal.

Death in my opinion was due to shock and hemorrhage from stab wound of the heart and intestines.

P. A. Smith M.D.

Taken before me

this

6th day of July - 1889

Daniel Hanly

CORONER.

0335

Coroner's Office.

TESTIMONY.

Philip E. Druin M.D. being sworn says
on July 30th 1889 at 315 E. 78th St.
I made an autopsy on the body of Thomas
Barrett and found

The body well nourished, two lacer-
ated wounds of skin size of a pea on right side
of nose and under right ala of nose, also
a lacerated wound of the skin of left side
of face and a half inches broad extending
from the chest bone to the ear appearing as
though some rough substance had brushed against
the face on that side.

I found a T-shaped stab wound of the
right side of the forehead up near the outer
extending down into the frontal bone deep, but
not penetrating to the membranes of the brain.

I found a stab wound of the chest.
Three quarter inches in length, three inches to
the left of the median line, the upper edge
of wound on a line with the nipple. This
wound extended between the 4th & 5th rib
through pericardium and into right ventricle
of heart.

I also found another wound in the abdomen
three quarter inch in length, two and a half
inches to the left of the median line. The
upper edge of wound on a horizontal plane.

Taken before me

this

day of

188

CORONER.

0336

Coroner's Office.

CITY AND COUNTY }
OF NEW YORK. } ss.

Giuseppe Vergaro being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him states as follows, viz:

Question. What is your name?

Answer. *Giuseppe Vergaro*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live?

Answer. *75th Street + 2^d Ave*

Question. What is your occupation?

Answer. *I keep I am a fruit dealer*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am not guilty*

his
Giuseppe Vergaro.
man

*Taken before me this }
6th day of July, 1889 }
*Daniel Hanly**

0337

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

Philip Verzaro being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—*Philip Verzaro*

Question—How old are you?

Answer—*24 years*

Question—Where were you born?

Answer—*Italy*

Question—Where do you live?

Answer—*238 East 75th St.*

Question—What is your occupation?

Answer—*I keep a fruit stand*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

I am not guilty

his
Philip Verzaro
man.

Taken before me, this 6th day of July 1889

Daniel Hanly

CORONER.

0338

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
23 Years	Months	Days	Ireland	315 E 78 th Street	June 30/89

And 1129. 1889
HOMICIDE.

AN INQUISITION.

7/5

On the VIEW of the BODY of

Thomas Barrett

whereby it is found that he came to
his Death by the hands of

Michael Morgan

Philip Morgan

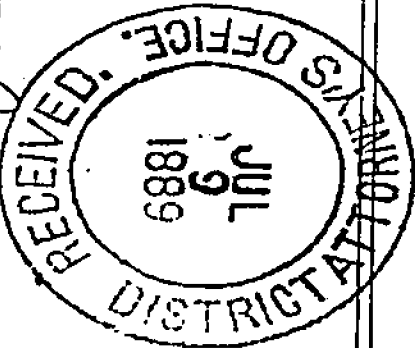
Inquest taken on the 65. day

of July — 1889

before

Samuel Hanks
Coroner.

Committed
Obtained
Discharged



Date of death June 30/89

0339

Ind. 1129- 1889

HOMICIDE.

AN INQUISITION. 7/5

On the VIEW of the BODY of

Thomas Garrett

whereby it is found that he came to

his Death by the hands of

Giuseppe Vergaro

Philip Vergaro

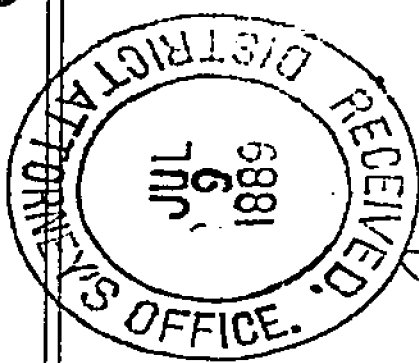
Inquest taken on the 6th day

of July - 1889

before

Samuel Haskin

Coroner.



Committed

Bailed

Discharged

Date of death June 30th 1889

AGE	23 Years
Months	
Days	
PLACE OF NATIVITY	Illiana
WHERE FOUND	315 578 th Ave. June 30 th 1889
DATE When Reported	

MEMORANDA.

0340

Grand Jury Room.

PEOPLE

vs.

Joseph Vergano,
and

Philip Vergano.
"

Trial witnesses.

Joseph Kennedy,
Patrick Kennedy,

Notify Michael Begley
302 East 80th St. to produce
them. Give 2 days notice.

Captain Gunner, } 25th
Officer Jno. H. Smithe, } Precinct.
Officer James W. Knight }

Dr. Douline,
Coroner's Physician.

Annie Barrett,
315 East 78th Street.

0341

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

John W. Smith
of No. 25th Precinct Police Street, aged 30 years,
occupation Police Officer, being duly sworn deposes and says,
that on the 30th day of June 1889

at the City of New York, in the County of New York, ~~Joseph. Kennedy & Patrick Kennedy~~
~~(nowhere)~~ are material witnesses
against Joseph. Morgan. & Philip Morgan.
Charged with Homicide, with
having willfully cut and stabbed one
Thomas Barrett causing injuries from
which the said Barrett died on the
30th day of June 1889, as set forth in the annexed
affidavit, Dependent. Believes that the
said Joseph. Kennedy & Patrick Kennedy
will not appear to testify against

Sworn to before me, this

of

188

day

Police Justice,

0343

Police Court, 4 District.

City and County }
of New York, } s

of 26 House of Sentiment Street, aged 23 years,
occupation U. S. Marine being duly sworn, deposes and says,
that on the 30th day of June 1889, at the City of New
York, in the County of New York,

Joseph. Szarav. Philip Szarav.
Both now here, did maliciously
and with the premeditated design
to kill, did maliciously stab
one Thomas. Barrett, in the left breast
and back, with some sharp instru-
ments. Then and there held in the
hands of the said Joseph. Szarav.
and Philip Szarav. Causing injuries
from which the said Barrett died
on the 30th day of June. 1889.

That at or about the time of One
Obba C. M. on said date deponee
in Company with the said Barrett
and Patrick Kennedy were on 2^d
Mum. New York Street. That deponee
saw the said defendants follow
the said Barrett and strike the
said Barrett with some instrument
unknown to deponee. That deponee
went to the assistance of the said
Barrett and on reaching said
Barrett and said defendants
the said Philip Verjan. Out and
stabbed deponee in the right
arm and side with some sharp
instrument then and there held in
his hand. Deponee therefore swears
that the said defendants may be
held to answer the same.

Signed & begun me Joseph Kennedy
This 1st day of July 1889

Henry Howard Police Justice

0344

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

4 District Police Court.

Joseph Vergaro. being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he see fit to answer the charge and explain the facts alleged against *him* that *he* is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name.

Answer. *Joseph Vergaro.*

Question. How old are you?

Answer. *32 Years.*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live, and how long have you resided there?

Answer. *238. East 45th Street 1 Year.*

Question. What is your business or profession?

Answer. *Trunk Vendor*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty of the charge*
Joseph Vergaro
mark

Taken before me this

1889

Police Justice.

0345

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

4 District Police Court.

Philip Vergara being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h right to
make a statement in relation to the charge against h; that the statement is designed to
enable h if h see fit to answer the charge and explain the facts alleged against h
that h is at liberty to waive making a statement, and that h waiver cannot be used
against h on the trial.

Question. What is your name.

Answer. Philip Vergara.

Question. How old are you?

Answer. 34 Years

Question. Where were you born?

Answer. Italy

Question. Where do you live, and how long have you resided there?

Answer. 238 East 75. Street 1 Year

Question. What is your business or profession?

Answer. Truck Driver

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer. I am not guilty of the charge

Philip Vergara
guilty

Taken before me this

1st

day of March 1889

Police Justice.

0346

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Olegueruanto

guilty thereof, I order that he be held to answer the same and ~~he be admitted to bail in the sum of~~
~~Hundred Dollars,~~ and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he give such bail legally glis charges

Dated July 1 188 [Signature] Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

0347

Joseph Kennedy and
Patrick Kennedy, witnesses,
bailed in \$1000 each
by Michael L. Begley
302 East 80th St.

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

187
Police Court District 4 1875

THE PEOPLE, &c.
ON THE COMPLAINT OF

Joseph Kennedy
Joseph Ferraro
Philip Ferraro.

8
4
Dated July 1st 1889
Murray Magistrate

John W. Smith Officer.

35 Precinct.

Witnesses John W. Smith
No. 35th Precinct Street.

Robert Keener
No. _____ Street.

James A. Detenham
Comptroller of the Court

No. _____ Street.
Commonwealth
JUL 3 1889
RECEIVED

Committed to the
House of Detention

0348

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Philip Vanzano

The Grand Jury of the City and County of New York, by this indictment, accuse
Philip Vanzano
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Philip Vanzano,

late of the City of New York, in the County of New York aforesaid, on the
thirtieth day of June, in the year of our Lord
one thousand eight hundred and eighty-nine, with force and arms, at the City and
County aforesaid, in and upon the body of one Joseph Kennedy
in the peace of the said People then and there being, feloniously did make an assault,
and him the said Joseph Kennedy
with a certain knife

which the said Philip Vanzano
in his right hand then and there had and held, the same being a deadly and
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent him the said Joseph Kennedy
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Philip Vanzano
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Philip Vanzano,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Joseph Kennedy,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and him the said
Joseph Kennedy
with a certain knife

which the said Philip Vanzano,

in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the Peace of the People of the State of New York
and their dignity.

John P. Williams,

Attorney

J. Kennedy
W. J. Murray Esq.
25th Street
New York

THE PEOPLE

THE PEOPLE

JOHN R. FELLOWS,
District Attorney.

A True Bill.
Wm. J. Connelley
Foreman.

for emmā.

0349

0350

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Verzaro and
Philip Verzaro*

The Grand Jury of the City and County of New York, by this indictment, accuse

Joseph Verzaro and Philip Verzaro

of the CRIME OF **Murder in the First Degree**, committed as follows:

The said *Joseph Verzaro and Philip
Verzaro, both* _____

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*
day of *June*, _____ in the year of our Lord one thousand eight hundred and
eighty-nine, at the City and County aforesaid, with force and arms, in and upon one

_____ *Thomas Barrett*, _____

in the peace of the said People then and there being, wilfully, feloniously, and of
their malice aforethought, did make an assault, and *they* the said

Joseph Verzaro and Philip Verzaro, him,

the said *Thomas Barrett*, with a certain *knife* _____

which *they* the said *Joseph Verzaro and Philip Verzaro*, in

their right hands then and there had and held, in and upon the *breast*
of *him* the said *Thomas Barrett* _____

then and there wilfully, feloniously, and of *their* malice aforethought did strike,

stab, cut and wound, giving unto *him* the said *Thomas Barrett*,

then and there with the *knife* aforesaid, in and upon the *breast*

of *him* the said *Thomas Barrett* _____

one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

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mortal wound — *he* — the said *Thomas Barrett* —
~~at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the~~
~~day of~~ ~~in the same year~~
~~aforesaid, did languish, and languishing did live, and on which said~~
~~day of.~~ ~~in the year aforesaid,~~ ~~the said~~
~~at the City and County aforesaid,~~
~~of the said mortal wound did die.~~
then and there died.

And so the Grand Jury aforesaid do say: That the said _____

Joseph Verzaro and Philip Verzaro, him,
the said *Thomas Barrett*, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and of *their* malice aforethought, did kill,
and murder, against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph Verzaro and Philip Verzaro
of the same CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *Joseph Verzaro and Philip*
Verzaro, both _____

late of the City and County aforesaid, afterwards, to wit: on the said *thirtieth*
day of *June*, _____ in the year of our Lord one thousand eight hundred
and eighty- *nine*, at the City and County aforesaid, with force and arms, in and
upon the said *Thomas Barrett*, _____

in the peace of the said People then and there being, wilfully, feloniously, and with
a deliberate and premeditated design to effect the death of — *him* — the said
Thomas Barrett —, did make another assault, and
the said *Joseph Verzaro and Philip Verzaro*, the said
Thomas Barrett —, with a certain *knife* —
which — *they* — the said *Joseph Verzaro and Philip Verzaro*, in

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their right hands then and there had and held, in and upon the breast
of — him — the said Thomas Barrett — ,
then and there wilfully, feloniously, and with a deliberate and premeditated design to effect
the death of him the said Thomas Barrett, did strike, stab, cut and
wound, giving unto him the said Thomas Barrett, then
and there, with the — knife — aforesaid, in and upon the breast —
of — him — the said Thomas Barrett —
one mortal wound of the breadth of one inch and of the depth of six inches, of which said
mortal wound — he — the said Thomas Barrett — at
the City and County aforesaid, from the said — day of —
in the year aforesaid, until the — day of — in the
same year aforesaid, did languish, and languishing did live, and on which said
day of — in the year aforesaid,
the said — , at the City and County
aforesaid, of the said mortal wound did die —
then and there died.

And so the Grand Jury aforesaid do say: That the said —
Joseph Vergara and Philip Vergara, him
the said Thomas Barrett, in the manner and form, and by
the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design
to effect the death of — him — the said Thomas Barrett,
did kill and murder, against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

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BOX:

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FOLDER:

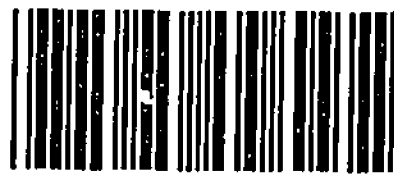
3394

DESCRIPTION:

Vitalo, Angelo

DATE:

07/16/89



3394

Witnesses;

Mary O'Brien
Off Carlos 10th Ave
Thos F. Indeno
200 North St

After examination, find
that ~~that~~ he does belong
back the corporation regis-
tration, and accord-
ing recommend the transfer
of the instrument.

July 19/89 H.D.P.
Defy

No 144

Counsel,
Filed 16 day of July 1889
Pleads, *pro se* July 17/9

THE PEOPLE

vs.

Angelo Vitale
H.D.

JOHN R. FELLOWS,

District Attorney.

Filed July 18, 1889

R A P H.
(Sections 278 and 218, Penal Code.)

A TRUE BILL.

Angelo Vitale

July 19/89 Foreman.

Indictment

Dismissed

4554

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Police Court, / District.

City and County } ss.
of New York,

Mary O'Brien

of No. House of Detention Street, aged 20 years,
occupation Servant being duly sworn, deposes and says,that on the 12 day of July 1889, at the City of New
York, in the County of New York, Angelo Vitale (now here)

and a man not arrested did each of them have sexual intercourse with deponent, carnally know and ravish deponent against her will and without her consent, she not being the wife of either of said defendants and her resistance being forcibly overcome. in violation of Section two hundred and seventy eight of the Penal Code for the reasons that at about on said day between the hours of three and a half o'clock P.M. and ten o'clock P.M. deponent was in the restaurant at premises 200 Mott Street, kept by the defendant Vitale. That at ten o'clock deponent attempted to leave said restaurant and the defendant Vito seized violent hold of deponent's body and pushed her through a doorway leading into an adjoining room or hallway and and then the defendant Vitale closed the door leading into said room and seized violent hold of deponent's body and threw deponent upon a mattress lying on the floor and lifted deponent's clothing then worn on her person and then and there did feloniously against deponent's will and consent ravish and carnally know deponent after said intercourse the defendant left said room and deponent followed the defendant but was met at the door by said unknown man who pushed deponent back into said room and

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violently threw deponent upon said mattress
and then and there feloniously against deponent
Will and consent did ravish and carnally
know deponent.

Sworn to before me }
this 13th July, 1889 }

Mrs Mary O'Brien

[Signature]
Justice

Dated 1889
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order h. to be discharged.
Police Justice.

Dated 1889
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Police Justice.

Dated 1889
I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of the City
Prison of the City of New York, until he give such bail.
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions.

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Sec. 193-200.

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

Angelo Vitalo

being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *his* right to
make a statement in relation to the charge against *him*; that the statement is designed to
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*.
that he is at liberty to waive making a statement, and that *his* waiver cannot be used
against *him* on the trial.

Question. What is your name?

Answer. *Angelo Vitalo*

Question. How old are you?

Answer. *44 years*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live, and how long have you resided there?

Answer. *200 Matt St. 4 months*

Question. What is your business or profession?

Answer. *Cook*

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer. *I am not guilty*

Angelo Vitalo
his
mark

Taken before me this

13

day of *July*

1889

Police Justice.

[Signature]

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It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Ten..... *Hundred Dollars,*..... *and be committed to the Warden and Keeper of*
the City Prison, of the City of New York, until he give such bail.

Dated..... *July 13* 188*9*

Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated..... 188

Police Justice.

There being no sufficient cause to believe the within named.....

guilty of the offence within mentioned, I order he to be discharged.

Dated..... 188

Police Justice.

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Police Court---

1034 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary O'Brien
House of Detention
vs.

Angelo Vitalo

2
3
4

Offence Rape

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated July 13 1889

Hogan Magistrate.

Carlin Officer.

10 Precinct.

Witnesses officin

No. Street.

Thomas Friedenso

No. 200 West Street.

Complainsant sent to
House of Detention in default
of \$100. Bail
\$1000. to B. S.

Comm

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CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

I, Terence Carlin
of No. 10th Precinct Street, aged _____ years,

occupation Police Officer being duly sworn deposes and says
that on the 13th day of July 1889

at the City of New York, in the County of New York, Mary O'Brien

is a necessary witness for the People
against Angelo Vitale charged with
Rape. That said Mary has no permanent
home and deponent fears she will
not be found when wanted and deponent
asks that she be sent to the House
of Detention for witnesses in default
of bail for her appearance

Terence Carlin

Sworn to before me, this 13th day

of July 1889

Police Justice.

0361

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Anagdo V. Kala

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Anagdo V. Kala*
of the CRIME OF RAPE, committed as follows:

The said *Anagdo V. Kala*,
late of the City of New York, in the County of New York aforesaid, on the
Twenty day of *July* in the year of our Lord one thousand
eight hundred and eighty- *nine*, at the City and County aforesaid, with
force and arms, in and upon a certain female not his wife, to wit: one *Mary*
O'Brien, then and there being, wilfully and,
feloniously did make an assault, and her the said *Mary O'Brien*,
then and there, by force and with violence to her the said *Mary*
O'Brien, against her will and without her consent, did wilfully
and feloniously ravish and carnally know, against the form of the Statute in such case
made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said *Anagdo V. Kala*
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said *Anagdo V. Kala*,
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain
female not his wife, to wit: her the said *Mary O'Brien*, then
and there being, wilfully and feloniously did make another assault, with intent her the
said *Mary O'Brien* against her will and without her consent, by
force and violence, to then and there wilfully and feloniously ravish and carnally know,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

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THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said Angelo Vitale
of the CRIME OF RAPE, committed as follows:

The said Angelo Vitale,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain
female not his wife, to wit: her the said Mary E. Brown, then
and there being, wilfully and feloniously did make another assault, and an act of sexual
intercourse with her the said Mary E. Brown,
then and there wilfully and feloniously did commit and perpetrate, against the will of the
said Mary E. Brown, and without her consent; against
the form of the Statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further
accuse the said Angelo Vitale
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-
mitted as follows:

The said Angelo Vitale,
late of the City and County aforesaid, afterwards, to wit: On the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain
female not his wife, to wit: her the said Mary E. Brown,
then and there being, wilfully and feloniously did make another assault, with intent, an
act of sexual intercourse with her the said Mary E. Brown,
against her will and without her consent then and there wilfully and feloniously to commit
and perpetrate, against the form of the Statute, in such case made and provided, and against
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS, *District Attorney.*